

Message Text

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ACTION EB-07

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E.O. 11652: N/A

TAGS: EIND, AR

SUBJECT: INDUSTRIAL PROPERTY - PARIS CONVENTION AND ARGENTINE

LAW NO. 20,794 GOVERNING LICENSING AND TECHNOLOGY

TRANSFER

REF: BUENOS AIRES 6779 AND PREVIOUS

1. WITH REPLACEMENT OF UBERTALLI BY AMADEO AT INTI (SEPTTEL), WE TOOK OCCASION OF INITIAL CALL ON AMADEO TO RAISE QUESTION OF INCOMPATIBILITY OF SUBJECT INSTRUMENTS RELATIVE TO TRADE-MARKS. AMADEO EXPRESSED IGNORANCE OF BACKGROUND ON THIS, SO WE PROVIDED HIM WITH COPY OF OUR EARLIER LTR TO UBERTALLI, WHICH HE PROMISED TO FSTUDY.

2. IN GENERAL DISCUSSION OF ARGENTINE TECHNOLOGY TRANSFER LAW AND ITS IMPLEMENTATION, AMADEO STATED HOPE THAT LAW WOULD NOT RPT NOT PROVE AN OBSTACLE TO TRANSFER (AS WE HAD CHARACTERIZED IT), BUT THAT INTI COULD SERVE AS COMPETENT, FRIENDLY CONSULTANT TO ARGENTINE LICENSEES TO HELP THEM GET BEST POSSIBLE TECHNOLOGY AND TERMS IN THEIR NEGOTIATIONS WITH FOREIGN LICENSORS.

3. REVIEW PROCESS FOR PROPOSED LICENSING AGREEMENTS STARTS AT INTI'S REGISTRY, THENCE TO ADVISORY COMMISSION COMPOSED OF INTI AND OTHER GOA EXPERTS. IF BOTH APPROVE, AGREEMENT GOES DIRECTLY TO INDUSTRIAL DEVELOPMENT SECRETARY FOR FINAL O.K. IF THERE ARE PROBLEMS AFTER ADVISORY COMMISSION

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REVIEW, CASE IS ALSO REVIEWED BY INTI MANAGEMENT BEFORE

BEING SENT TO SECRETARY.

4. WE WERE TOLD THAT PROCESSING TIME IS HIGHLY VARIABLE, RUNNING FROM ABOUT 2 MONTHS TO 6 OR SO, THE LATTER IN CASES WHERE INTI REQUESTS ADDITIONAL DATA, IN WHICH CASE IT USUALLY ALLOW 60 DAYS FOR THIS PROCESS.

5. RE LIKELIHOOD OF AMENDING TECHNOLOGY TRANSFER LAW IN NEAR FUTURE, AMADEO DISCOUNTED THIS POSSIBILITY.

6. COMMENT: AS INDICATED SEPTTEL, OUR PRELIMINARY ASSESSMENT IS THAT AMADEO WILL, AT LEAST IN SHORT TERM, BE SOMETHING OF A HARD LINER ON TECHNOLOGY TRANSFER CASES AS HE STARTS OUT IN HIS INTI JOB AS A FIRM BELIEVER IN TECHNOLOGY TRANSFER LAWS LIKE ARGENTINA'S.
MONTLLOR

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